

MANDATE

S.D.N.Y. – N.Y.C.
15-cv-3307
Caproni, J.

United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 19th day of November, two thousand fifteen.

Present:

Amalya L. Kearse,
Reena Raggi,
Richard C. Wesley,
Circuit Judges.

USDC SDNY
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In the Matter of: Motors Liquidation Company,

Debtor.

Sherif Rafik Kodsy,

Appellant,

v.

15-2641

Motors Liquidation Company GUC Trust,

Appellee.

Appellant, *pro se*, moves for leave to proceed *in forma pauperis* and for “legal entitlement for legal sufficiency,” which is construed as a motion for summary reversal. Appellant’s appeal to the district court from the bankruptcy court order was untimely. *See Fed. R. Bankr. P.* 8002. Therefore, the district court lacked jurisdiction over the appeal. *See In re Siemon*, 421 F.3d 167, 169 (2d Cir. 2005). Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because it “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see also* 28 U.S.C. § 1915(e).

A True Copy

Catherine O’Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O’Hagan Wolfe

FOR THE COURT:

Catherine O’Hagan Wolfe, Clerk of Court

Catherine O’Hagan Wolfe

MANDATE ISSUED ON 12/10/2015